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December 31, 2024

## VIA ECF

Hon. Joseph F. Leeson, Jr. U.S. D.J. E.D. Pa.  
United States District Court  
Eastern District of Pennsylvania  
Edward N. Cahn U.S. Courthouse and Federal Building  
504 West Hamilton Street, Suite 3401  
Allentown, Pennsylvania

RE: Christopher Smith vs. The Fintex Group, LLC and Andrew Weinstein  
Civil Action No. 5:24-cv-02134-JFL

Dear Judge Leeson:

This firm represents Plaintiff Christopher Smith ("Plaintiff") in the above captioned matter. We write with consent of counsel for Defendants, The Fintex Group, LLC and Andrew Weinstein ("Defendants"), to respectfully request an adjournment of Defendant's pending Motion for Partial Summary Judgment.

As Your Honor is aware, the parties were previously at a stalemate with respect to various issues, which necessitated a Case Management Conference on December 17, 2024. Following a Conference with Your Honor, the Court entered an Order requiring the following: Plaintiff was required to submit a brief on the issue of documents withheld due to attorney-client privilege by December 24, 2024; Defendants are required to submit a brief on the issue of document withheld due to attorney-client privilege and a detailed privilege log by January 7, 2025; with respect to all discovery issues other than attorney-client privilege, both parties were required to submit proposed

orders as to the relief or denial of relief by December 24, 2024; and the parties' request to extend the discovery deadlines by thirty days was denied. All parties have complied with or are in the process of complying with the Court Order.

On December 23, 2024, Defendants filed a Motion for Partial Summary Judgment for which opposition is currently due on January 6, 2025. The filing of Defendants' dispositive motion at this juncture is premature as various written discovery issues remain and as a result, depositions have yet to be completed. The production of these documents is critical to Plaintiff's affirmative causes of action and in defense of Defendants' proposed Counterclaims. As such, it is respectfully requested the previously raised discovery issues be resolved prior to the contemplation of dispositive motions. Plaintiff will be materially prejudiced should the Court be required to rule on a Motion for Summary Judgment without first being provided with relevant written discovery and deposition testimony.

Respectfully submitted,

**WILLIAMS, GRAFFEO & STERN, LLC**

*Brian Graffeo*

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Brian P. Graffeo, Esq.

Dated: December 31, 2024